

Ulster Democratic Party

28th October 1996

This is a copy of the UDP submission to the International Body on 16th December 1995.

It should be considered as a reference document only. Naturally UDP policy has in some respects changed in light of changed political circumstances

Confidential

Ulster Democratic Party
Submission on illegally held arms

Presented to independant commission on arms 16th December 1995

Note. The content of this paper is confidential. The U.D.P. do not wish the content to be disclosed to any other body.

Introduction

1. The Ulster Democratic Party is a constitutional political party, which rejects the use of violence for political gain. The U.D.P. has played a significant role in helping create the conditions for the removal of violence, offering political analysis to Loyalist paramilitary organisations, and in particular the Ulster Defence Association and the Ulster Freedom Fighters. This contributed to the announcement of a cessation of hostilities by the Combined Loyalist Military Command on October 13th 1994.
2. We have been given a specific mandate by the U.D.A. and U.F.F. and along with the P.U.P. a shared mandate from the C.L.M.C. to represent their views in discussions with the British Government. The U.D.P. do not possess any illegal weapons and therefore cannot be held responsible in any way for those held by any armed group.
3. The U.D.P. recognise and share the desire to remove all illegal arms from society and shall continue to everything in its power to achieve this. The creation of this commission to investigate this complex issue is welcomed and it is hoped that the conclusions of the commission shall assist in identifying a realistic approach to arms decommissioning. The U.D.P. do not accept any attempt to equate the retention of illegal weaponry by paramilitary organisations with those legal weapons held by legitimate state forces. We do not recognise this commission as having any role in addressing issues related to the armaments of state forces.

Arms and Talks

4. The arms issue has become central to the ongoing peace process. At the time of the Republican and Loyalist ceasefires, it was anticipated and accepted by Loyalists that the question of illegally held arms would have to be resolved as part of the normalisation process and was an important factor in the quest for peace. It was not, however, expected that political negotiations between all parties would be conditional to a physical removal of weaponry. Political representatives of armed groups have not at any stage demanded the surrender of weaponry by any of their counterparts as a condition for dialogue.

5. The elevation of the arms issue is considered by Loyalist organisations to be an attempt by some to humiliate paramilitary organisations and is a mischievous attempt to create a distinction between so-called constitutional parties and the political representatives of paramilitary organisations. If the peace process is to succeed then all sections of the community must be included in the search for settlement. No one is totally innocent or totally guilty in this society. We all share responsibility for creating and prolonging the conflict, by either deed or acquiescence, therefore we must share the responsibility of finding a solution. We must accept each other as we are not how we would like them to be. Sanitation is not a method to address the problems which exist; it can merely succeed in making some of the people more comfortable with dealing with those representing the armed groups.

Loyalist Arms

6. Loyalist paramilitary organisations exist to protect the Loyalist community from attempts to persecute them by armed attack and political subversion. A military strategy has been engaged by these groups for the duration of the physical conflict to resist and retaliate against efforts by Republican groups to attack Loyalists and against those who sought to enforce political change against the free given will of the people. The creation and maintenance of Loyalist paramilitary organisations was an inevitable reaction to the concerted campaign of murder and intimidation waged upon Loyalists by Republicans.
7. The British government have the primary responsibility to protect the rights of the people of Northern Ireland. The Government, since the Republican initiation of conflict in 1968 have failed to protect the right to life of its people and have abdicated their responsibility to protect its citizens. The policy of successive governments has been to contain terrorism rather than eradicate it. This resulted in a government policy of an 'acceptable level of violence'. Such an approach has been entirely unacceptable to the Northern Ireland people. As a result the Loyalist community has maintained a support for the continued existence of Loyalist paramilitary organisations. They are seen as a line of defence in the vacuum created by the inability of State forces to eradicate anti-state terrorism.

Arms Retention

8. The peace process has offered a valuable opportunity for the people in our country to find a political resolution of the conflict and this is fully supported by Loyalists. This can only be achieved by engaging in honest dialogue. However much distrust exists. A culture of violent attack has left Loyalists bitter and distrustful of the ability of Republicans to pursue a purely non-violent strategy, particularly in the knowledge that their political objectives are not realisable in the short term by purely democratic methods.

Confidential

9. The Irish government has pursued the objective of a United Ireland since the creation of Northern Ireland and most vociferously for the duration of the 'Troubles'. The Unionist community view the attempt by the Republic of Ireland to reverse partition as an aggressive threat to the rights of the people.
10. The British government has not resisted the attempts of either the IRA or the Irish government to force constitutional change and has failed to represent the wishes of the people. The vast majority of people in Northern Ireland support the continuation of the union with Great Britain. This has been true for the entire lifespan of the state yet the Government has refused to accept this fundamental reality. In 1985 the British and Irish governments in consultation with the S.D.L.P. enforced the Anglo-Irish Treaty over the heads of the people and without consultation with Unionists. This disregarded the democratic wishes of the Northern Ireland people and gave a foreign sovereignty a consultative role in the affairs of this jurisdiction.
11. Loyalists do not have trust in the intentions of the Irish and British governments and as such are suspicious of their motives in the peace process. Agreement can only be reached if both communities can have confidence in the discussion process itself and can see that it is entirely transparent. Yet the arms precondition precludes us from verifying the bonafides of the political process as we are on the outside looking in.
12. In addition although the IRA and Loyalist organisations are currently engaged on ceasefire, there exists more than one armed group which have not engaged a ceasefire nor support the cessation's which do exist. The Irish National Liberation Army has not as yet made any public declaration of ceasefire. The military wing of Republican Sinn Fein has attempted on four occasions to initiate violence. The most recent attempt resulted in the discovery of a 2100lb van bomb in transit to Northern Ireland, November 11th 1995.
13. Such fears and concerns are legitimate and cannot be ignored. Loyalist organisations insist upon being in a position to defend their community from attack, if necessary.
14. In the U.D.P.s opinion disarmament is not be a realistic proposition in an atmosphere of profound distrust. In turn trust cannot be built while groups are excluded from the negotiation process. It has been argued consistently by our party that no historical precedent exists to suggest that disarmament should be a precondition to dialogue.
15. Dialogue cannot of course succeed in an atmosphere of the threat of conflict. It is unreasonable for parties to participate in a process of negotiation while uncertain whether armed groups shall resort to confrontation if they do not achieve their

Confidential

political objectives. Therefore, what must be established is whether sufficient cause exists for participants to fear that the weapons held shall be used again.

The Arms Commission

16. In the joint government communiqué released on 28th November, it was stated the role of this commission would be to:

1. Identify and advise on a suitable and acceptable method for full and verifiable decommissioning
2. Report whether there is a clear commitment on the part of those in possession of such arms to work constructively to achieve that.

Commitment

17. The U.D.P. believe it is essential that no ambiguity surrounds the intentions of armed groups. The commitment to pursuing a peaceful resolution of the conflict through non violent means must be clear.
18. It is our belief that the Combined Loyalist Military Command have an entirely honourable position in this peace process and are fully committed to following it to its conclusion. To support this analysis we can point to numerous public pronouncements by that body.

19. October 13th 1994

'The permanence of our ceasefire will be completely dependent upon the continued cessation of all nationalist/republican violence; the sole responsibility for a return to war lies with them.'

'Let us firmly resolve to respect our differing views of freedom, culture and aspiration and never again permit our political circumstances to degenerate into bloody warfare.'

20. July 7th 1995

'The entire population of Northern Ireland, Great Britain, the Irish Republic and America will not easily forgive any group which undermines the Peace process, anticipates or precipitates a return to War.'

21. August 25th 1995

'The C.L.M.C. wish to re-assure the people of N.I. that provided their rights are upheld the C.L.M.C. will not initiate a return to war. There shall be no first strike.'

'We are committed to removing the cause for the retention of arms in our society and thereby removing forever the gun from Ulster politics.'

22. In our view these assertions by the Combined Loyalist Military Command represent an unequivocal demonstration of the commitment purely democratic methods, and to creating the conditions where all illegal weaponry can be removed from our society. Furthermore the no first strike policy stated on August 25th of this year clearly commits Loyalist Organisations to maintaining a peaceful role and rules out an initiation of hostilities.
23. The I.R.A. have not as yet committed itself to such a position. Their refusal to do so heightens Loyalist distrust of their intentions. Loyalists are prepared to accept the outcome of agreement, democratically arrived at and upheld at referendum, even if it does not coincide with the objectives of the C.L.M.C. The same cannot be said for the I.R.A.
24. If there is no British withdrawal, or United Ireland shall they abide by the democratic wishes of the Northern Ireland people or shall they return to an armed strategy. Until their commitment is clarified it shall be difficult to create the environment where open and honest dialogue can be employed.
25. Sinn Fein President Gerry Adams has made pronouncements of exclusively peaceful means, but Mr Adams observations cannot be accepted as a guarantee from the I.R.A. His pronouncements are not binding upon the I.R.A. It needs only be pointed out that in the two weeks before the joint communiqué which led to the creation of this commission, there was significant speculation which suggested a resumption of I.R.A. armed conflict. This was not at any time contradicted by Sinn Fein, indeed they sought to play upon such speculation. This same selective representation is demonstrated by the willingness of Sinn Fein to cooperate with this commission yet the I.R.A. made a wholly negative and pessimistic pronouncement.
26. In our view the refusal of the I.R.A. to make an unambiguous commitment to purely democratic methods warrants the suspicion of not only the Loyalist Organisations but the community as a whole. All paramilitary organisations must accept the hurt and suffering they have inflicted upon society during the conflict has resulted in a profound distrust of the sincerity of those organisations.

Therefore it is a responsibility of the paramilitaries to seek to address that lack of trust.

27. In their ceasefire statement on October 13th 1994 the C.L.M.C. stated:

'In all sincerity, we offer to the loved ones of all innocent victims over the past 25 years, abject and true remorse. No words of ours will compensate for the intolerable suffering they have undergone during the conflict.'

28. This pronouncement has been cited extensively as a demonstration of the transition undergone by the Loyalists Organisations in the pursuit of a peaceful settlement. This was acknowledged particularly by representatives of the Catholic population. The no first strike policy stated on August 25th was a recognition of the fear held by the community, particularly the Nationalist community about a Loyalist return to violence. They fear that the guns will be used again against them.

29. Loyalists are still awaiting any attempt by the I.R.A. to address the fear that they shall direct their guns against the Loyalist community again. There has been no words of atonement from them for all the hurt inflicted upon our community. They have not accepted in any way that what has happened is wrong.

Modalities

30. The Ulster Democratic Party recognises that while the conditions have clearly not been created which would result in a physical decommissioning of illegal arms, there is merit in discussing what mechanisms it would be necessary to employ if that position were at some stage to be reached.
31. We agreed to discuss this issue seriously and constructively with our Government and, as a result, issues surrounding the modalities of decommissioning illegal arms were discussed. This was an integral part of the 'exploratory dialogue' between this party the P.U.P. and the Government who were represented by N.I. Minister for political development, Michael Ancram M.P. Discussions took place between us on March 22nd and May 4th 1995.
32. The U.D.P. would deem this a complex issue. Careful consideration of the practical difficulties and legal implications would be necessary if there were to be any hope of agreement which could command the confidence of all involved. We support the efforts of the commission to address this difficult issue as outlined in the joint communiqué.

Conclusion

The arms issue is not about guns. It is about trust. Decommissioning does not eradicate the capability of violence. The decommissioning issue is about those who hold illegal weaponry proving their commitment to democratic methods. It is clear that while profound distrust exists it shall be unlikely that paramilitary organisations shall decide to disarm. And while distrust exists of the armed groups themselves others shall not enter dialogue. Yet dialogue must take place to enable the necessary trust to be built which shall create the environment in which these armed groups shall feel confident to relinquish their weapons. Catch 22.

34. Reality has to be faced. It must be accepted that these groups shall not relinquish their weapons at this point. The groups themselves must accept that talks cannot succeed under threats. Therefore they must assert themselves towards creating an atmosphere which allows dialogue to take place. If the armed groups on both sides commit themselves to the democratic process and to the principle of non-initiation, then there can be no logical reason to oppose inclusive negotiations. Then and only then shall there exist a true process which can physically remove illegal arms from this society.